

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1195 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 5-22-17-5.5 IS ADDED TO THE INDIANA
- 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE UPON PASSAGE]: **Sec. 5.5 (a) No agency of the state**
- 6 **may:**
- 7 (1) **enter into a contract with; or**
- 8 (2) **make a grant to;**
- 9 **a person who fails to make a report of child abuse or neglect under**
- 10 **IC 31-33-5, if the contract or grant involves the expenditure of**
- 11 **state funds or federal funds administered by the state.**
- 12 (b) **No state funds or federal funds appropriated by or**
- 13 **administered by the state may be used for any contract with or**
- 14 **grant made to a person who is not in compliance with IC 31-33-5.**
- 15 (c) **Any appropriation by the state:**
- 16 (1) **in a budget bill;**
- 17 (2) **under IC 5-19-1-3.5; or**
- 18 (3) **in any other law of the state;**
- 19 **to pay for a contract with or grant made to a person who is not in**
- 20 **compliance with IC 31-33-5 is canceled, and the money**
- 21 **appropriated is not available for payment of any contract or grant**
- 22 **with money from an appropriation that is canceled under this**
- 23 **subsection.**
- 24 (d) **For any contract with or grant made to a person covered**

1 **under subsection (c), the budget agency shall make a determination**
 2 **that funds are not available and the contract or grant shall be**
 3 **terminated under IC 5-22-17-5."**

4 Page 3, after line 24, begin a new paragraph and insert:

5 "SECTION 6. IC 31-9-2-133 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 133. (a) "Victim of
 7 child abuse or neglect", for purposes of IC 31-32-11-1 and IC 31-33
 8 **(excluding IC 31-33-5)**, refers to a child in need of services as
 9 described in:

10 (1) IC 31-34-1-1 through IC 31-34-1-5;

11 (2) IC 31-34-1-10; or

12 (3) IC 31-34-1-11.

13 ~~(b)~~ The term does not include a child who is alleged to be a child in
 14 need of services if the child is alleged to be a victim of a sexual offense
 15 under IC 35-42-4-3 unless the alleged offense under IC 35-42-4-3
 16 involves the fondling or touching of the buttocks, genitals, or female
 17 breasts.

18 **(b) "Victim of child abuse or neglect", for purposes of**
 19 **IC 31-33-5, refers to a child in need of services described in:**

20 (1) IC 31-34-1-1 through IC 31-34-1-5;

21 (2) IC 31-34-1-10; or

22 (3) IC 31-34-1-11.

23 SECTION 7. **An emergency is declared for this act."**

24 Renumber all SECTIONS consecutively.

(Reference is to HB 1195 as printed February 20, 2009.)

Representative Walorski